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NSC FOR LOOK
DIA FOR LEA

E.O. 12958: DECL: 09/29/2019

TAGS: KACT MARR PARM PREL RS US START

SUBJECT: START FOLLOW-ON NEGOTIATIONS, GENEVA (SFO-GVA-V):
(U) RUSSIAN-PROPOSED TREATY ANNEX, SECTION V (INSPECTIONS,
VISITS, AND EXHIBITIONS) (NUMBER 5 OF 6 CABLES)

Classified By: A/S Rose E. Gottemoeller, United States
START Negotiator. Reasons: 1.4(b) and (d).

¶1. (U) This is SFO-GVA-V-019.

¶2. (U) Paragraph 3 below contains the text of the official
translation of Section V (Inspections, Visits and
Exhibitions) of the Russian-proposed Annex to the
Russian-proposed New START Treaty. Because of the length of
the complete Annex, it will be sent in six multiple
cables. This is number 5 of 6 cables.

¶3. (S) Begin text of Official Translation:

Section V

INSPECTIONS, VISITS, AND EXHIBITIONS

¶I. General Obligations

For the purpose of helping to ensure verification of
compliance with the provisions of the Treaty, each Party
shall facilitate the conduct of inspections, visits, and
exhibitions by the other Party in accordance with the
provisions of this Section.

II. Provisions Concerning the Legal Status of Inspectors and Aircrew Members

¶1. Inspections, visits, and exhibitions shall be
conducted by inspectors.

¶2. The list of inspectors shall not contain at any one time more than 200 individuals. The number of individuals on the list of aircrew members shall be determined at the discretion of each Party, based on the premise that the number of aircrew members for each inspection airplane shall not exceed ten. Inspectors shall be citizens of the inspecting Party. Each Party shall have the right to amend its lists of inspectors and aircrew members no more than once in each 3-month period.

¶3. A team conducting an inspection shall include no more than 9 inspectors.

¶4. A team participating in a visit shall include no more than 7 inspectors.

¶5. A team participating in an exhibition shall include no more than 10 inspectors.

¶6. The members of an inspection team and the aircrew shall be accorded the following privileges and immunities during the entire period they are in the territory of the other Party:

(a) such personnel shall be assured the inviolability enjoyed by diplomatic agents in accordance with Article 29 of the Vienna Convention on Diplomatic Relations of April 18, 1961, and immunities in accordance with paragraphs 1, 2, and 3 of Article 31 of that Convention;

(b) the papers and correspondence of such personnel shall enjoy the inviolability accorded to the papers and correspondence of diplomatic agents in accordance with Article 30 of the Vienna Convention on Diplomatic Relations;

(c) inspection airplanes delivering inspection teams to the points of entry shall be inviolable;

(d) inspectors and aircrew members shall have the right to bring into the territory of the other Party, without payment of any customs duties or related charges, articles for their personal use, with the exception of articles, the import or export of which is prohibited by law or controlled by quarantine regulations;

(e) without prejudice to the privileges and immunities provided for in subparagraphs (a) and (b) of this paragraph, such personnel shall be obliged to comply with the laws and regulations of the inspected Party and shall be obliged not to interfere in its internal affairs and not to engage in any professional or commercial activity for personal profit on the territory of the inspected Party.

¶7. An individual on the list of inspectors or aircrew members may be objected to subsequently if that individual is found unacceptable by the Party that reviewed the list previously. The Party making such an objection shall so notify the other Party in accordance with paragraph 5 of Subsection VI of Section IV.

III. Arrangements for Air Transportation

¶1. Each Party shall identify two points of entry on its territory.

¶2. The inspected Party shall, for each facility, identify the airport associated with that facility, and the point of entry.

¶3. The inspecting Party shall have the right to use inspection airplanes of agreed types to deliver inspectors to the points of entry on the territory of the inspected Party. Such airplanes may, at the same time that they are transporting inspectors, carry equipment intended for inspections.

The inspecting Party shall provide the relevant notification of each flight of an inspection airplane transporting inspectors.

¶4. The inspecting Party shall have the right to use airplanes making regularly scheduled commercial flights to transport inspectors to those points of entry that are served by such airplanes.

¶5. In the cases agreed upon by the Treaty Parties in the Bilateral Consultative Commission, each Party may use "Open Skies" airplanes making observation flights over the territory of the inspected state in order to deliver inspectors to and from the points of entry.

¶6. Procedures related to mutual settlement of accounts for services rendered in servicing inspection airplanes shall

be subject to agreement by the Parties in the Bilateral Consultative Commission before the beginning of the period for conducting inspections.

IV. Activities Beginning Upon Arrival at the Point of Entry

¶1. Upon arrival, the in-country escort shall meet the inspection team and aircrew members and shall expedite their entry and the entry of their baggage and equipment intended for inspections, which ((equipment -- Trans.)) shall be exempt from all customs duties. Diplomatic officials from the embassy or consulate of the inspecting Party shall also meet the inspection team and aircrew members.

¶2. The in-country escort shall accompany the inspection team and assist it in exercising its functions during the entire period it is in the territory of the inspected Party; diplomatic officials may accompany inspectors only during their stay at the point of entry, but may accompany the aircrew members during the entire period they are in the territory of the inspected Party.

¶3. An inspector shall be considered to have assumed the duties of an inspector upon arrival at the point of entry on the territory of the inspected Party and shall be considered to have ceased performing those duties after departure from the territory of the inspected Party through the point of entry.

¶4. An examination of the equipment brought by the inspection team and needed to conduct the inspection shall be carried out at the point of entry in accordance with agreed procedures; the examination shall be completed prior to the departure of the inspection team from the point of entry for the site of the inspection or the visit or the exhibition. The list of inspection equipment and the procedures for its use shall be agreed upon by the Parties in the Bilateral Consultative Commission prior to the beginning of the period for conducting inspections, visits, and exhibitions.

¶5. At the point of entry the inspection team leader shall designate in writing to the inspected Party through the in-country escort the specific site of the inspection or visit.

IV. General Rules for the Conduct of Inspections, Visits, and Exhibitions

¶1. During the entire period of stay in the territory of the inspected Party, the inspected Party shall provide meals, lodging, work space, transportation, and, as necessary, medical and other urgent services for the inspectors and aircrew members of the inspecting Party. Costs of all such services shall be borne by the inspected Party.

¶2. Inspectors shall not disclose information obtained during inspections, visits, and exhibitions, unless otherwise agreed.

¶3. The boundaries of the facility specified on the site diagrams that the Parties shall exchange no later than 30 days after entry into force of the Treaty shall be the boundaries of the sites of the inspection and visits ((sic)).

The requirements for site diagrams and the way they are drawn up shall be agreed upon by the Parties in the Bilateral Consultative Commission.

¶4. In discharging their functions, inspectors shall communicate with personnel of the inspected Party only through the in-country escort. Inspectors shall not interfere with ongoing activities at sites of inspections, visits, and exhibitions and shall not hamper or delay the operation of a facility. Inspectors shall take no actions affecting the safe operation of a facility. Inspectors shall observe safety regulations established at the site of the inspection, visit, and exhibition. The in-country escort shall provide safety briefings.

¶5. At the site of an inspection, visit, or exhibition, representatives of the inspected facility shall be included among the in-country escort.

¶6. The inspected Party shall transport the inspection team and equipment to the site of the inspection or visit no later than 18 hours after the time for the designation by the inspecting Party of the specific site of the inspection or visit.

¶7. During an inspection, visit, or exhibition, inspectors shall have the right to request clarification through the in-country escort, to view and make linear measurements of items located at the inspection site for the purpose of confirming the conformity of the declared technical data specified in Section II of this Annex.

¶8. Pre-inspection procedures, including safety briefings and the provision of information relating to the conduct of the inspection, visit, or exhibition and the site where they are conducted, shall begin upon arrival of the inspection team at the inspection site ((sic -- there is no reference to the aforementioned visit or exhibition -- Trans.)) and shall be completed within one hour, after which the inspection shall begin immediately.

¶9. The period of inspection shall not exceed the period of time necessary to achieve the objectives of the inspection and shall expire upon completion of the inspection procedures.

¶10. The period of the visit shall not exceed 36 hours.

¶11. Post-inspection procedures, which include preparing the report on the inspection conducted, shall begin when the period of inspection expires and shall be completed by agreement of the Parties.

¶12. The inspection team shall depart from the territory of the inspected Party not later than 24 hours after its return to the point of entry.

VI. Inspections

¶1. Each Party shall have the right to conduct inspections (blank) days (to be agreed) after entry into force of the Treaty and thereafter. Each Party shall have the right to conduct a total of five such inspections each year, with no more than one such inspection each year at the same facility.

¶2. Each Party shall have the right to conduct inspections at ICBM bases, submarine bases, and air bases.

¶3. During each inspection no more than one deployed ICBM or deployed SLBM may be inspected, except as provided

for in paragraph 7 of this Subsection.

14. No later than one hour after the time for the designation of the inspection site, the inspected Party shall implement the following pre-inspection restrictions (to be agreed) at the ICBM base or at the submarine base, including the waters identified on the coastlines and waters diagram, or at the air base.

15. Upon arrival of the inspection team at the inspection site, a member of the in-country escort shall:

(a) For ICBM bases, inform the inspection team leader of the number of deployed launchers of ICBMs for each type of ICBM based there and the number of ICBM launchers in which deployed ICBMs are contained, and provide the inspection team leader with a copy of the simplified site diagram of the ICBM base, annotated to show the designator of the locations ((sic)) of each of those launchers at that base.

In addition, a member of the in-country escort shall provide the inspection team leader with information in writing on the aggregate number of reentry vehicles on deployed ICBMs and the specific number of reentry vehicles on each deployed ICBM located at the inspected ICBM base.

If more than one type of ICBM is specified for that base, such information shall be provided for ICBMs of each type of ICBM.

(b) For submarine bases, inform the inspection team leader of the location and type of each submarine equipped with deployed launchers of SLBMs to which pre-inspection restrictions apply, and of the type of SLBM for each such submarine, and provide the inspection team leader with a copy of the coastlines and waters diagram, annotated to show the locations ((sic)) of each submarine equipped with deployed launchers of SLBMs, within the waters identified pursuant to that paragraph, and the number of launchers on each such submarine;

In addition, a member of the in-country escort shall provide the inspection team leader with information in writing on the aggregate number of reentry vehicles on deployed SLBMs and the specific number of reentry vehicles for each deployed SLBM located on each submarine at the inspected submarine base, to which pre-inspection restrictions apply.

(c) For air bases, inform the inspection team leader of the number of heavy bombers for each type of heavy bomber based there and the number of heavy bombers on which nuclear armaments are loaded, and provide the inspection team leader with a copy of the site diagram of the heavy bomber base, annotated to show the designator of the locations ((sic)) of each of the heavy bombers at that base, as well as

information on the heavy bombers that are absent at that time, and their specific location.

If more than one type of heavy bomber is specified for that air base, information shall be provided for each type of heavy bomber.

16. Upon the completion of pre-inspection procedures the inspection team leader shall designate in writing to a member of the in-country escort, the deployed launcher of ICBMs or SLBMs that contains the deployed ICBM or SLBM to be inspected, or shall specify the deployed heavy bomber to be inspected, on which nuclear armaments are loaded.

The procedures for the conduct of such inspections shall be agreed upon by the Parties in the Bilateral Consultative Commission before the beginning of the period for conducting inspections.

17. The inspection team leader shall also have the right

to designate for inspection one of the ICBM or SLBM launchers declared not to contain a deployed ICBM or SLBM or declared as ICBMs or SLBMs that do not contain reentry vehicles, and shall designate a subgroup consisting of no more than three inspectors to conduct such an inspection.

The procedures for the conduct of such an inspection shall be agreed upon by the Parties in the Bilateral Consultative Commission before the beginning of the period for conducting inspections.

18. For air bases, if deployed heavy bombers on which nuclear armaments are loaded are absent from the air base, the inspection team shall have the right to inspect all the heavy bombers located at that air base at the time pre-inspection restrictions went into effect.

The procedures for the conduct of such an inspection shall be agreed upon by the Parties in the Bilateral Consultative Commission before the beginning of the period for conducting inspections.

VII. Visits to Declared Facilities and Visits to New Facilities

11. Each Party shall have the right to conduct visits to declared facilities (blank) days (to be agreed) after entry into force of the Treaty and thereafter. Each Party shall have the right to conduct a total of five such visits each year, with no more than one such visit each year to the same facility.

12. Each Party shall have the right to conduct visits to declared and new facilities at any of the following facilities: ICBM bases and bases of submarines equipped with SLBMs; repair facilities for ICBMs, SLBMs, and mobile launchers of ICBMs; storage facilities for ICBMs, SLBMs, mobile launchers of ICBMs, and heavy bombers; conversion or elimination facilities for ICBMs, SLBMs, mobile launchers of ICBMs, and heavy bombers; test ranges; air bases; and training facilities.

13. No later than one hour after the time for the designation of the site of the visit, the inspected Party

shall implement pre-inspection restrictions at the site of the visit.

Pre-inspection restrictions shall be agreed upon by the Parties in the Bilateral Consultative Commission before the beginning of the period for conducting visits.

14. The information to be provided by a member of the in-country escort after arrival at the site of the visit and the procedures for the conduct of visits shall be agreed upon by the Parties in the Bilateral Consultative Commission before the beginning of the conduct of visits.

VIII. Technical Characteristics and Distinguishability Exhibitions

Each Party shall conduct technical characteristics exhibitions of new types of ICBMs, SLBMs, HBs, and mobile launchers of ICBMs.

The procedures for the conduct of exhibitions shall be agreed upon by the Parties in the Bilateral Consultative Commission.

IX. Cancellation of Inspections, Visits, or Exhibitions

11. An inspection, visit, or exhibition may be cancelled if, due to circumstances brought about by force majeure, it cannot be conducted. If an inspection or visit is cancelled due to circumstances brought about by force majeure, the number of inspections or visits to which the inspecting Party is entitled shall not be reduced.

For exhibitions cancelled due to circumstances brought about by force majeure, the Parties shall, in addition, agree on the time periods for conducting such exhibitions.

12. In the case of a delay, including a delay due to circumstances brought about by force majeure, that prevents an inspection team from arriving at the site of the inspection or visit during the time agreed by the Parties in the Bilateral Consultative Commission, the inspection team leader may either cancel or conduct the inspection or visit.

If an inspection or visit is cancelled for that reason, the number of inspections or visits to which the inspecting Party is entitled shall not be reduced.

IX. Inspection, Visit, or Exhibition Reports

11. During post-inspection procedures the inspection team leader shall provide the in-country escort with an official written inspection, visit, or exhibition report in the language of the inspecting Party and an unofficial translation of the report in the language of the inspected Party.

12. The report shall be factual. It shall include the type of inspection, visit, or exhibition conducted; the inspection site; the type and number of ICBMs, SLBMs, heavy bombers, warheads on them, ICBM or SLBM launchers, and submarines equipped with SLBMs, which are subject to the Treaty and which were observed during the period of the

inspection, visit, or exhibition, whichever is applicable, and all measurements recorded during the visit or exhibition.

Each Party shall retain one copy of the report.

13. The Party conducting the inspection, visit, or exhibition shall have the right to include in the report ambiguities and comments drawn up in written form.

14. The Parties shall, when possible, clarify ambiguities regarding factual information contained in the inspection, visit, or exhibition report. Relevant clarifications shall be recorded in the report.

End text.

14. (U) Gottemoeller sends.
GRIFFITHS